

unjust discriminations and unlawful charges alleged to be constantly made by the telegraph companies of this State, and no law exists to correct these evils; therefore an emergency exists, and an imperative public necessity demands the suspension of the constitutional rule requiring bills to be read on three several days, therefore said rule is suspended, and this law shall take effect and be in force from and after its passage, and it is so enacted.

Senator Davis offered the following amendment to the amendment:

Amend by adding:

"And to amend the Penal Code and the Sunday laws."

Ruled out of order.

Senator Chesley offered the following amendment to the pending amendment:

Amend by adding an additional section as follows:

Owing to the near approach of the close of the session, and the impracticability of this bill being reached in its regular order for further action; therefore an imperative public necessity exists for the suspension of the constitutional rule requiring bills to be read on three several days, and it is so enacted.

Adopted by the following vote:

YEAS—14.

Buchanan,	Gibbs,	Perry,
Chesley,	Harris,	Pope,
Collins,	Houston,	Randolph,
Evans,	Kleberg,	Shannon.
Fowler,	Patton,	

NAYS—12.

Cooper,	Gooch,	Peacock,
Davis,	Johnson of Collin,	Pfeuffer,
Farrar,	Martin,	Terrell,
Fleming,	Matlock,	Traylor.
Getzendaner,		

Senator Kleberg's amendment, as amended, was adopted by the following vote:

YEAS—15.

Buchanan,	Fowler,	Patton,
Chesley,	Gibbs,	Perry,
Collins,	Harris,	Pope,
Cooper,	Houston,	Randolph,
Evans,	Kleberg,	Shannon.

NAYS—12.

Davis,	Gooch,	Peacock,
Farrar,	Johnson of Collin,	Pfeuffer,
Fleming,	Martin,	Terrell,
Getzendaner,	Matlock,	Traylor.

Senator Chesley moved to reconsider the vote by which Senator Perry's amendment was adopted.

Lost by the following vote.

YEAS—12.

Chesley,	Farrar,	Patton,
Cooper,	Getzendaner,	Randolph,
Davis,	Harris,	Terrell,
Evans,	Martin,	Traylor.

NAYS—13.

Fleming,	Johnson of Collin,	Perry,
Fowler,	Kleberg,	Pfeuffer,
Gibbs,	Matlock,	Pope,
Gooch,	Peacock,	Shannon.
Houston,		

Bill ordered engrossed by the following vote:

YEAS—16.

Buchanan,	Fowler,	Perry,
Chesley,	Gibbs,	Pfeuffer,
Cooper,	Harris,	Pope,
Evans,	Kleberg,	Randolph,
Farrar,	Patton,	Shannon.
Fleming,		

NAYS—11.

Collins,	Houston,	Peacock,
Davis,	Johnson of Collin,	Terrell,
Getzendaner,	Martin,	Traylor.
Gooch,	Matlock,	

Senator Cooper introduced a bill entitled "An act to provide for the location and patenting of certain land certificates, issued under authority of an act, approved April 9, 1881, entitled 'an act granting to persons who have been permanently disabled by reason of wounds received while in the service of this State, or of the Confederate States, a land certificate for twelve hundred and eighty acres of land,' and also under authority of an act, approved March 15, 1881, entitled 'an act granting a land certificate of twelve hundred and eighty acres to each of the surviving soldiers of the Texas revolution, and the surviving signers of the Declaration of Texas Independence, and to the surviving widows of such soldiers and signers, and to the widows of those who fell at the Dawson massacre,' and to repeal an act, approved April 26, 1879, entitled 'an act granting a land certificate of six hundred and forty acres to each of the indigent veterans who was engaged in the struggle for Texas independence prior to and at the battle of San Jacinto, enrolled under the act approved July 28, 1876.'"

Referred to Committee on Public Lands.

Senate joint resolution No. 2, to amend sections 3, 4 and 6, of article 7, of the Constitution of the State of Texas, was taken up and read the third time.

Senator Martin, chairman of the Committee on Engrossed Bills, with the consent of the Senate, withdrew said resolution, engrossed as one resolution, and substituted the same, with the amendment to each section engrossed as a separate resolution, and with them submitted the following report:

COMMITTEE ROOM,  
AUSTIN, March 1, 1883.

Hon. Marion Martin, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared substitute Senate joint resolution No. —, to amend section 3, of article 7, of the Constitution of the State of Texas.

Also, substitute Senate joint resolution No. —, to amend section 4, article 7, of the Constitution.

Also, substitute Senate joint resolution No. —, to amend section 6, article 7, of the Constitution of the State of Texas,

And find the same correctly engrossed.

MARTIN, Chairman.

The Senate joint resolution amending section 2, just reported, was read.

Senator Matlock moved to lay the resolution on the table subject to call.

Senator Gibbs moved to amend the pending motion by making it the special order for to-morrow morning after the morning call.

On motion of Senator Gibbs, the Senate adjourned until to-morrow morning at 10 o'clock.

#### FORTY-FOURTH DAY.

SENATE CHAMBER,  
AUSTIN, TEXAS, March 2, 1883.

Senate met pursuant to adjournment.

The President pro tem. in the Chair.

Roll called. Quorum present.

Prayer by the Chaplain.

On motion of Senator Gibbs, the reading of the journal of yesterday was dispensed with, and the same adopted.

Senator Jones presented a petition of citizens of Walker county, praying the Legislature to ratify the lease of the penitentiary.

Referred to Committee on Penitentiaries.

Senator Davis, chairman of the Committee on Education, submitted the following report.

COMMITTEE ROOM,  
AUSTIN, March 2, 1883.

Hon. Marion Martin, President of the Senate:

Your Committee on Education, to whom was referred Senate bill

No. 320, entitled "An act to authorize the councils of certain cities and towns to appoint a board of school trustees," have carefully examined the same, and instruct me to report the same back with the recommendation that it do pass.

All of which is respectfully submitted.

DAVIS, Chairman.

Bill read first time.

Senator Martin, chairman of Committee on Engrossed Bills, submitted the following report:

COMMITTEE ROOM,  
AUSTIN, March 2, 1883.

Hon. Marion Martin, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared Senate bill No. 306, being "An act to change the time of holding court in the tenth judicial district."

Also, substitute Senate bill No. 221, being "An act to secure payment of claims by the State of Texas, against the United States, for protecting her frontier."

And find the same correctly engrossed.

MARTIN, Chairman.

Senator Buchanan, chairman of Committee on Rules, submitted the following report:

COMMITTEE ROOM,  
AUSTIN, March 2, 1883.

Hon. Marion Martin, President of the Senate:

Your Committee on Rules, to whom was referred Senate resolution providing that the morning sessions of the Senate shall be devoted to the consideration of joint resolutions now on the President's table proposing changes in the State Constitution, have considered the same, and instruct me to report the same back to the Senate with the recommendation that it be adopted.

All of which is respectfully submitted.

BUCHANAN, Chairman.

Senator Pfeuffer, chairman of Committee on Finance, submitted the following report:

COMMITTEE ROOM,  
AUSTIN, February 27, 1883.

Hon. Marion Martin, President of the Senate:

Your Committee on Finance, to whom was referred Senate bill No. 200, entitled "An act making appropriations for deficiencies in the appropriations heretofore made for payment of expenses in support of the government from March 1, 1882, to February 28, 1883, being for payment of claims registered in the Comptroller's office, in accordance with law, and for outstanding claims not registered," have carefully examined the same, and instruct me to report the same back with the accompanying substitute, with the recommendation that the substitute do pass.

All of which is respectfully submitted.

PFEUFFER, Chairman.

Bill read first time.

Senator Matlock, chairman of Committee on Public Lands, submitted the following report:

COMMITTEE ROOM,  
AUSTIN, March 2, 1883.

Hon. Marion Martin, President of the Senate:

Your Committee on Public Lands, to whom was referred Senate bill No. 324, "A bill to be entitled an act to provide for the location and patenting of certain land certificates, issued under authority of an act approved April 9, 1881, entitled 'an act granting to persons who have been permanently disabled by reason of wounds received while in the service of this State, or of the Confederate States, a land certificate for twelve hundred and eighty acres of land,' and under authority of an act approved March 15, 1881, entitled 'an act granting a land certificate of twelve hundred and eighty acres to each of the surviving soldiers of the Texas revolution, and the surviving signers of the Declaration of Texas Independence, and to the surviving widows of such soldiers and signers, and to the widows of those who fell at the Dawson massacre,' and to repeal an act approved April 26, 1879, entitled 'an act granting a land certificate of six hundred and forty acres to each of the indigent veterans who was engaged in the struggle for Texas independence prior to and at the battle of San Jacinto, enrolled under the act approved July 28, 1876,'" have carefully examined the same, and instruct me to report the same back with the recommendation that it do pass.

MATLOCK, Chairman.

Bill read first time.

Senator Patton, chairman of Committee on State Affairs, submitted the following report:

COMMITTEE ROOM,  
AUSTIN, March 2, 1883.

Hon. Marion Martin, President of the Senate:

Your Committee on State Affairs, to whom was referred Senate bill No. 323, entitled "An act to amend sections 3, 4, 5, 6, 11, 14, 15, 16, 18, 20, 21, 22, 23, 26, 28, 29, 30, 51, 52, 82, 90, 91, 117, 127, 128, 135, 140, 142, 147, 148, 151, 157, 158, 159, 161, 170, and 171, of 'an act to incorporate the city of Galveston and to grant a new charter,' approved August 2, 1876, and amended by act of Legislature, approved April 5, 1881," have carefully examined the same, and instruct me to report the same back with the recommendation that it do pass. Said bill being accompanied by the evidence that it has been published for the length of time required for the introduction and passage of local laws by the Constitution.

All of which is respectfully submitted.

PATTON, Chairman.

Bill read first time.

Senator Gibbs introduced a bill to be entitled "An act to provide for a more efficient management of the State Penitentiaries and convict labor."

Referred to the Committee on Penitentiaries.

Senator Collins submitted certain papers to the Senate on quarantine matters, which were referred to the Committee on Finance.

Senator Fowler introduced a bill to be entitled "An act to amend article 540, chapter 11, of the Revised Civil Statutes, so as to allow incorporated towns and villages with less than fifty voters to abolish their corporation by a two-thirds vote."

Referred to Judiciary Committee No. 2.

The President took up and referred substitute House bill No. 54, to be entitled "An act to provide annual pensions for the surviving soldiers or volunteers of the Texas revolution, and the surviving signers of the Declaration of the Independence of Texas, and the surviving widows of such soldiers or volunteers and signers," to the Committee on State Affairs.

Senator Gooch moved to take up the resolution offered by Senator Terrell on yesterday, and reported on favorably this morning by the Committee on Rules, with regard to taking up and acting on joint resolutions proposing to amend the State Constitution, during the morning session, in preference to other business.

Unanimously adopted.

On motion of Senator Gooch, the resolution was adopted. The following message was received from the House:

Mr. President:

I am directed by the House to inform the Senate that the House has adopted the following concurrent resolution:

WHEREAS, The opinion prevails with many members of the House of Representatives, that if the Legislature adjourns sine die at the end of the 60 days that some important bills now pending cannot be determined; and,

WHEREAS, It is the sense of the House that sufficient time should be devoted by the Legislature to perfecting a few measures of importance to the welfare of the people of the State; therefore

Resolved by the House of Representatives, the Senate concurring, That the Speaker appoint five members of the House, to act with a like number of Senators, or such number as they may select, whose duty it shall be to consult together as to how the best interest of the State can be subserved, and report their conclusions to the Legislature, that they may be able to better determine how much longer they should remain in session.

And that Messrs. Brown, Wurzbach, Upton, Foster or Grayson and Acker have been appointed as a committee upon the part of the House.

J. W. BOOTH, Chief Clerk.

Senator Pfeuffer entered a motion to reconsider the vote on the passage of House bill No. 251, "An act to amend article 117, section 4, chapter 1, title 8, of the Revised Statutes of Texas, providing for the maintenance of lunatics by the commissioners' court when they cannot be admitted into the asylum."

Senator Peacock, by unanimous consent, withdrew his

motion to consider the vote on the passage of Senate bill 157, "An act to amend articles 423, 424, 425, 426, 427, 428, 429 and 430, and to create article 426½, and to repeal article 430, of chapter 5, title 13, of the Penal Code of the Revised Statutes, for the protection of fish and game, approved March 15, 1881, so as to exclude Waller county from the exemptions to said section."

Senate Joint resolution "Amending section 3, article 7 of the Constitution of the State of Texas," was taken up as unfinished business, and read third time.

Senator Gooch offered the following amendment:  
Amend the bill by adding thereto the following:

And the county commissioners' court, or other competent authority, may, in such manner as may be subscribed by general or special law, divide their counties into school districts. An annual *ad valorem* tax may be levied and collected in such manner as may be prescribed by law within school districts, to aid in the support and maintenance of public free schools in the district, and for the erection of school buildings therein, not to exceed twenty-five cents on the one hundred dollars valuation, if at an election held for that purpose, two-thirds of the property tax-payers, residents of such district and voting at such election, who are qualified voters, vote in favor of such tax, of twenty-five cents on the one hundred dollars or for any specific per cent less than that amount. And the Legislature shall have power to pass local or special laws regulating the formation of school districts, and the levying of taxes therein, within the provisions of this section, without the necessity of advertising under the rules for the passage of other special laws.

Where an incorporated city or town is, or may become, an independent school district under section 10, article 11 thereof, and laws thereunder, this section shall not apply to it.

Adopted by the following vote:

YEAS—25.

Buchanan,	Gibbs,	Matlock,
Chesley,	Gooch,	Patton,
Cooper,	Johnson of Collin,	Peacock,
Davis,	Johnston of Shelby,	Perry,
Evans,	Jones,	Pfeuffer,
Farrar,	King,	Shannon,
Fleming,	Kleberg,	Stratton,
Fowler,	Martin,	Traylor.
Getzendaner,		

NAYS—6.

Collins,	Houston,	Randolph,
Harris,	Pope,	Terrell.

Senator Harris offered the following amendment:

Strike out that portion of the resolution requiring collection of the tax for the year 1884.

Lost by the following vote:

YEAS—9.

Collins,	Johnson of Collin,	Pope,
Davis,	Martin,	Terrell,
Harris,	Perry,	Traylor.

NAYS—20.

Buchanan,	Getzendaner,	Patton,
Chesley,	Gibbs,	Peacock,
Cooper,	Gooch,	Pfeuffer,
Evans,	Houston,	Randolph,
Farrar,	Johnston of Shelby,	Shannon,
Fleming,	King,	Stratton,
Fowler,	Kleberg,	

Senator Chesley offered the following amendment:

Amend by inserting after the words "residents of such district," the words "for six months next preceding said election."

Lost by the following vote:

YEAS—13.

Chesley,	Harris,	Pope,
Collins,	Johnson of Collin,	Randolph,
Farrar,	Patton,	Stratton,
Fleming,	Perry,	Terrell.
Fowler,		

NAYS—17.

Buchanan,	Gooch,	Martin,
Cooper,	Houston,	Peacock,
Davis,	Johnston of Shelby,	Pfeuffer,
Evans,	Jones,	Shannon,
Getzendaner,	King,	Traylor.
Gibbs,	Kleberg,	

Senator Davis offered the following amendment:

Amend by striking out all of the amendment that permits special legislation in regard to schools or school districts.

Lost by the following vote:

YEAS—10.

Davis,	Gibbs,	Kleberg,
Evans,	Harris,	Pfeuffer,
Farrar,	Johnson of Collin,	Traylor.
Getzendaner,		

NAYS—18.

Buchanan,	Houston,	Peacock,
Chesley,	Johnston of Shelby,	Perry,
Cooper,	Jones,	Randolph,
Fleming,	King,	Stratton,
Fowler,	Martin,	Terrell.
Gooch,	Patton,	

Resolution passed by the following vote:

YEAS—24.

Buchanan,	Gibbs,	Patton,
Chesley,	Gooch,	Peacock,
Cooper,	Harris,	Perry,
Evans,	Houston,	Pfeuffer,
Farrar,	Johnston of Shelby,	Pope,
Fleming,	Jones,	Shannon,
Fowler,	King,	Stratton,
Getzendaner,	Martin,	Traylor.

NAYS—6.

Collins,	Johnson of Collin,	Randolph,
Davis,	Kleberg,	Terrell.

The following reasons for voting "no" on the passage of the joint resolution, as amended, were asked to be spread upon the journal:

I vote "no," because:

1. The State and district taxation should be submitted as distinct propositions for separate vote by the people; and,
2. I am opposed to permitting the Legislature to levy a State school tax of twenty cents on the one hundred dollars. It will encourage extravagance and will always be levied.

A. W. TERRELL.

Senate joint resolution, "Amending section 4, title 7, of the Constitution of the State of Texas," was taken up and read the third time.

Senator Davis called up his motion to reconsider the vote by which said resolution was ordered engrossed.

Motion to reconsider lost.

Senator Davis offered the following amendment:

Amend by striking out the words "the payment of which shall be guaranteed by the State."

Lost by the following vote:

YEAS—10.

Davis,	Harris,	Pfeuffer,
Evans,	Johnson of Collin,	Randolph,
Farrar,	Perry,	Traylor.
Getzendaner,		

NAYS—18.

Buchanan,	Gibbs,	Martin,
Chesley,	Houston,	Patton,
Collins,	Johnston of Shelby,	Pope,
Cooper,	Jones,	Shannon,
Fleming,	King,	Stratton,
Fowler,	Kleberg,	Terrell.

Senator Terrell offered the following amendment:

After the words "school fund," in line 9, insert "or university fund, or which may be set aside to either by any legislative act."

Senator Gooch offered the following amendment to the pending amendment:

Insert after "university fund" the words "and asylum funds."

Adopted, and amendment, as amended, adopted by the following vote:

YEAS—21.

Buchanan,	Harris,	Peacock,
Chesley,	Houston,	Perry,
Collins,	Johnston of Shelby,	Pope,
Cooper,	Jones,	Randolph,
Fleming,	King,	Shannon,
Fowler,	Martin,	Terrell,
Gooch,	Patton,	Traylor.

NAYS—7.

Davis,	Gibbs,	Kleberg,
Evans,	Johnson of Collin,	Pfeuffer.
Getzendaner,		

Senator Getzendaner offered the following amendment:

Add after "guaranteed by the State," the words "to the extent of making the interest on any sums lost a permanent annual charge on the State."

Lost by the following vote.

YEAS—9.

Davis,	Harris,	Johnston of Shelby,
Evans,	Houston,	Pfeuffer,
Getzendaner,	Johnson of Collin,	Randolph.

NAYS—19.

Buchanan,	Gooch,	Peacock,
Chesley,	Jones,	Perry,
Collins,	King,	Pope,
Cooper,	Kleberg,	Shannon,
Fleming,	Martin,	Terrell,
Fowler,	Patton,	Traylor.
Gibbs,		

Resolution passed by the following vote:

YEAS—21.

Buchanan,	Gibbs,	Martin,
Chesley,	Gooch,	Patton,
Collins,	Houston,	Peacock,
Cooper,	Johnston of Shelby,	Perry,
Evans,	Jones,	Pope,
Fleming,	King,	Shannon,
Fowler,	Kleberg,	Terrell.

NAYS—7.

Davis,	Johnson of Collin,	Randolph,
Getzendaner,	Pfeuffer,	Traylor.
Harris,		

The following reasons for voting "no" on the passage of the resolution, were ordered spread on the journal:

We vote "no" on the proposed amendment to the Constitution. It is true the Constitution should be so amended as to allow greater latitude in the investment of school funds, which is now confined to State and United States bonds, but we are not willing to make the State, or, in other words, the people, guarantee the payment of a loan when made. The State is a pauper, with no money except that which is drawn from the people by taxation. When the officials of the State lose the school fund, it is forever lost, and the loss is not repaired by imposing it as a debt upon the people, to be replaced by taxation upon them, to be lost by their officials again. When the school fund is lost, it will be far better to tax the people to maintain the schools than to tax them to replace a fund that may be again lost.

The university fund especially should never be saddled as a debt upon the people of the whole State, for but few are benefited by it, and the people of this State will not guarantee the payment of the principal and the interest on that fund when invested, and their representatives here should not vote any such demand of them.

The university should be content with what the people of this State have given it, without now asking the people to guarantee the payment of its funds when invested; and the people of this State will and should vote down any such unjust and unreasonable demand.

Those who believe that the people of this State will in effect write their names down as sureties to an investment of the

university fund, will find themselves badly mistaken in their calculations.

DAVIS,  
GETZENDANER,  
PFEUFFER,  
FARRAR.

Senator Davis called up his motion to reconsider the vote engrossing Senate joint resolution amending section 6, title 7 of the Constitution of the State of Texas.

The Senate refused to reconsider.

Senate joint resolution amending section 6, article 7 of the Constitution of the State of Texas, was then taken up in regular order, read third time and passed by the following vote:

YEAS—23.

Buchanan,	Harris,	Pfeuffer,
Chesley,	Houston,	Pope,
Collins,	Jones,	Randolph,
Evans,	King,	Shannon,
Farrar,	Martin,	Stratton,
Fleming,	Patton,	Terrell,
Fowler,	Peacock,	Traylor.
Gibbs,	Perry,	

NAYS—3.

Davis,	Getzendaner,	Johnson of Collin.
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Senate joint resolution No. 23, "Authorizing school districts and the levy of a special tax thereon," was taken up in regular order, read third time, and ordered to lie on the table.

Senator Farrar introduced the following bills:

"An act to amend articles 66, 67, 68, 70, 71, 72, 73, 74 and 80 of an act entitled, 'an act to adopt and establish the Revised Civil Statutes of the State of Texas,' passed March 17, 1879, and to amend articles 75 and 77, of the Revised Civil Statutes of the State of Texas, as amended on April 18, 1879, and to add article 68a."

Referred to Committee on State Asylums.

"An act to be entitled 'an act to amend articles 122, 129, 137 and 138 of 'an act to adopt and establish the Revised Civil Statutes of the State of Texas,' passed March 17, 1879, and to amend articles 130 and 132 of the Revised Civil Statutes of the State of Texas, as amended and approved April 17, 1879, and to add article 130a."

Referred to Committee on State Asylums.

On motion of Senator Terrell, the regular order of business was postponed until the House bills and resolutions on the President's table were disposed of.

House bill No. 34, "An act to amend article 186 of the Penal Code," was taken up, read third time and passed.

House bill No. 36, to be entitled "An act to amend article 743 of the Penal Code," was taken up, read the third time and passed.

House concurrent resolution, with regard to appointing joint committee to consider the question of adjournment, etc., was taken up and read.

On motion of Senator Pfeuffer, the resolution was adopted.

The President appointed on said joint committee, on the part of the Senate, Senators Pfeuffer, Fleming, Pope, Patton and Gooch.

Senator Stratton moved to suspend the order of business and take up Senate bill No. 323, "Amending certain sections of the city charter of Galveston."

The Senate refused to postpone and take up by the following vote:

YEAS—13.

Buchanan,	Johnson of Collin,	Perry,
Chesley,	Kleberg,	Pfeuffer,
Collins,	Martin,	Randolph,
Farrar,	Patton,	Stratton.
Houston,		

## NAYS—12.

Cooper,  
Davis,  
Evans,  
Fleming,Getzendaner,  
Gibbs,  
Gooch,  
Harris,Jones,  
King,  
Peacock,  
Traylor.

Senator Martin, chairman of Committee on Engrossed Bills, submitted the following report:

COMMITTEE ROOM,  
AUSTIN, March 2, 1883.

Hon. Marion Martin, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared Senate bill No. 293, being "An act to amend title 17, chapter 10, of the Revised Statutes of the State of Texas, by adding thereto articles 503a and 503b," and find the same correctly engrossed.

PATTON, for Committee.

Senator Fleming moved to adjourn until 3 o'clock p. m. to-day.

Senator Martin moved to adjourn until 10 o'clock a. m. to-morrow, as to-day was independence day, which was seconded by Senator Jones for the same reason.

Motion adopted by the following vote, and the Senate adjourned in honor of its being the anniversary of Texian independence, which was declared on the second day of March, 1836:

## YEAS—15.

Buchanan,  
Collins,  
Cooper,  
Fleming,  
Getzendaner,Gibbs,  
Gooch,  
Houston,  
Johnston of Shelby,  
Jones,King,  
Kleberg,  
Martin,  
Patton,  
Randolph

## NAYS—9.

Chesley,  
Farrar,  
Harris,Johnson of Collin,  
Peacock,  
Perry,Pfeuffer  
Stratton  
Traylor.

## FORTY-FIFTH DAY.

SENATE CHAMBER,  
AUSTIN, TEXAS, March 3, 1883. }

Senate met pursuant to adjournment.

President pro tem. in the chair.

Roll called. Quorum present.

Prayer by the chaplain.

On motion of Senator Peacock, the reading of the journal of yesterday was dispensed with, and same adopted.

Senator Fowler presented a petition of citizens of Bastrop county, requesting the Legislature to submit to the people of the State a constitutional amendment, prohibiting the importation, manufacture or sale of intoxicating liquors as a beverage in this State.

Referred to Committee on Constitutional Amendments.

Also, a message from citizens of Fayette county, on the same subject as the one presented from Bastrop county.

Referred to Committee on Constitutional Amendments.

Senator Peacock presented a petition from over 300 citizens of Marion county, against the submission of a prohibition amendment to the State Constitution.

Referred to Committee on Constitutional Amendments.

Senator Martin, chairman of the Committee on Engrossed Bills, submitted the following report:

COMMITTEE ROOM,  
AUSTIN, March 3, 1883.

Hon. Marion Martin, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared Senate bill No. 280, being "An act to regulate the duties of telegraph companies, and to prescribe a penalty for the violation of the same."

Also, Senate bill No. 294, being "An act to amend article 420, chapter 4, title 17, of the Revised Statutes."

And find the same correctly engrossed.

MARTIN, Chairman.

Senator Peacock, for Judiciary Committee No. 1, submitted the following report:

COMMITTEE ROOM,  
AUSTIN, March 1, 1883.

Hon. Marion Martin, President of the Senate:

Your Judiciary Committee No. 1, to whom was referred Senate bill No. 311, entitled "An act to provide for the dissolution of attachments," have carefully examined the same, and instruct me to report the same back with the recommendation that it do not pass. The bill provides that the truth of the grounds for attachment may be controverted by affidavit of the defendant, and a trial had upon his motion to dissolve the attachment before the court, without a jury, in vacation or in term time, and if, in the opinion of the court, good and legal grounds did not exist, the attachment shall be dissolved. Your committee believe that the present attachment law is liable to abuse, and think that debtors should be protected against the acts of irresponsible agents, and that, perhaps, the scope of actual damages should be enlarged, but do not consider the legislation proposed in this bill advisable.

All of which is respectfully submitted.

PEACOCK, for Committee.

Bill read first time.

Senator Getzendaner, for the Committee on Roads and Bridges, submitted the following report:

COMMITTEE ROOM,  
AUSTIN, March 2, 1883.

Hon. Marion Martin, President of the Senate:

Your Committee on Roads and Bridges, to whom was referred Senate bill No. 305, being a bill to be entitled "An act to adopt and establish the Revised Civil Statutes of the State of Texas, by adding thereto article 4420a," have had the same under consideration, and I am instructed by your committee to report the accompanying substitute back with the recommendation that the substitute do pass.

The bill is intended to make it the duty of, and to authorize, the road overseer to cut ditches for draining the water from public roads when same may be necessary.

All of which is respectfully submitted.

GETZENDANER, for Committee.

Bill read first time.

Senator Terrell introduced a bill entitled "An act to authorize the city of Austin to issue bonds for the purpose of constructing sewers, and to provide for the payment of interest thereon."

Referred to Judiciary Committee No. 1.

Senator Gibbs introduced a bill to be entitled "An act to amend article 96 of the Penal Code, and creating article 96a."

Referred to Judiciary Committee No. 2.

Senator Pope introduced a bill to be entitled "An act to amend articles 1667 and 1693 of the Revised Civil Statutes."

Referred to Committee on Privileges and Elections.

On motion of Senator Gooch, Senator Matlock was excused for yesterday and to-day, and Senator Cooper for to-day.

On motion of Senator Johnson of Collin, the postmaster was excused for to-day.

Senator Stratton moved to go into executive session on the appointments of the Governor, sent to the Senate and not yet acted on.

Upon which motion the Senate voted as follows:

## YEAS—12.

Chesley,  
Collins,  
Davis,  
Fleming,Getzendaner,  
Houston,  
Johnston of Shelby,  
Kleberg,Martin,  
Patton,  
Perry,  
Stratton.

## NAYS—12.

Evans  
Farrar  
Fowler,  
Gibbs,Gooch,  
Harris,  
Johnson of Collin,  
King,Peacock,  
Shannon,  
Terrell,  
Traylor.